IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET

CIVIL APPLICATION NO.3739 OF 2007
IN
FIRST APPEAL NO.2039 OF 2007

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Mr.S.R.Rajguru for the Applicants
Mr.S.A.Bhagwat for Respondent No. 1 to 4.

CORAM: A.S.OKA, J.
DATE : NOVEMBER 26,2007.

P.C.:

1. Heard learned counsel for the applicant and the learned counsel for Respondent Nos.1 to 4. The trial court has passed a declaratory decree holding that the first to fourth respondents are in possession and restraining the applicants from dispossessing them. Considering the nature of the decree, prayer for stay cannot be granted. However, pending final disposal of the Appeal, Respondent Nos.1 to 4 will have to be restrained from creating any third party interests in respect of the suit property and from parting with possession thereof in favour of any third party.

2. Hence, application is disposed of by passing the following order :

i) Prayer (a) for stay is rejected.

ii) Till the final disposal of the Appeal, Respondent Nos.1 to 4 are restrained from creating any third party interests in respect of the suit property and from parting with possession thereof in favour of any third party.

JUDGE